TOWN OF BLACK MOUNTAIN
COUNTY OF BUNCOMBE

BEFORE THE BLACK MOUNTAIN
BOARD OF ADJUSTMENT

In the Matter of the Application of	)	
Steve and Shanna Greenwalt for a	)	
Variance for Property at 200 Montreat Rd	)	ORDER
PIN #0619-37-1631.00000	)	

THIS CAUSE, coming on before the Board of Adjustment for the Town of Black Mountain on April 16, 2026, upon the application of Steve and Shanna Greenwalt, to reduce the rear setback at 200 Montreat Road in Black Mountain, PIN #0619-37-1631.00000, which is Plat Book 0182 at Page 0060, Buncombe County Registry.

Emily Greenwalt, Representative for Applicants, appeared to present their case.

Jennifer Tipton, Senior Admin, and Russell Cate, Zoning Administrator, appeared for Town Staff, and five members and one alternate of the Board of Adjustment were in attendance.

The Board of Adjustment, having heard and considered the testimony of Town Staff and the Applicants, and having considered all the evidence presented by Town Staff and the Applicants and the statements and arguments of the Applicant, makes the following.

FINDINGS OF FACT

1. The Board of Adjustment has jurisdiction over this matter pursuant to Section 1.7.3 of the Land Use Code (the "LUC").

2. Proper notice of this meeting and hearing of the Board of Adjustment was provided as required by the Town ordinances and the state law.

3. Applicants Steve and Shanna Greenwalt are the owners of property located at 200 Montreat Road, Black Mountain, North Carolina, which has the current PIN number of 0619-37-1631.00000 as shown on the Buncombe County Tax Maps, also being Plat Book 0182 at Page 0060, Buncombe County Registry.

4. The property is zoned UR-8.

5. The property is .17 acres.

6. The property has a single-family dwelling that was constructed in 1936.

7. Chapter 4, Section 4.7.14, Dimensional Requirements by Zoning District, provides the setbacks for the UR-8 district.

8. The rear setback requirement is 15 feet.

9. The Applicants are requesting to build a master bath and closet addition.

10. The current single-family dwelling is exactly 15 feet from the rear setback.

11. To be granted a variance, the Applicant is required to prove all of the following:
    (1) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
    (2) The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
    (3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with the knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
    (4) The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved. (N.C.G.S. Section 160D-705; Section 1.7.3E. of the LUC.)

12. There are unnecessary hardships that would result from the strict application of the ordinance because the house as it sits is right at the minimum rear setback of fifteen feet.

13. The hardship results from conditions that are peculiar to the property such as location, size or topography because of the size of the lot being smaller than others in the surrounding area as well as the position of the house on the lot.

14. The hardship does not result from actions taken by the property owner because the house was built in 1936 and was in the existing location when purchased.

15. The requested variance is consistent with the spirit, purpose, and intent of the regulations such that public safety is secured, and substantial justice is achieved because the applicants have requested the minimum variance possible and they are allowed to add on to their house as others in the surrounding area have been able to do.

BASED UPON THE FOREGOING FINDINGS OF FACT, THIS BOARD, by a vote of 5-0, concludes that the Applicants should be granted a variance to reduce the rear setback of 15 feet by 2'8" leaving a rear setback of 12'4".

IT IS NOW THEREFORE, ORDERED, that the Applicants are granted a variance to reduce the rear setback of 15 feet by 2'8" leaving a rear setback of 12'4" for 200 Montreat Road.

This the _____ day of _____, 2026.

_____
Nicole Stallings, Chair

If you are dissatisfied with the decision of this Board, an appeal may be taken to the Superior Court of Buncombe County within 30 days after the date of this order is served on you. See Section 1.7.2 of the Land Use Code, Appeals from Decisions of the Board of Adjustment, in the Town of Black Mountain Code of Ordinances.